

REMARKS

The Official Action mailed October 5, 2006, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on August 11, 2004; and April 28, 2005.

Claims 31, 32, 35-43, 46-53, 55, 56 and 59-70 are pending in the present application, of which claims 31 and 43 are independent. The Applicant notes with appreciation the indication of the allowability of dependent claims 62, 64, 68 and 70. Independent claims 31 and 43 and dependent claims 62 and 68 have been amended to better recite the features of the present invention. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 31, 32, 35-43, 46-53, 55, 56 and 59-61, 63, 65-67, 69 and 70 as obvious based on the combination of Figure 30 of the present specification, which the Official Action refers to as "Applicant's Prior Art" (APA) and U.S. Patent No. 5,668,379 to Ono, either alone or in combination with one or more of the following: U.S. Patent No. 5,821,159 to Ukita, U.S. Patent No. 6,215,077 to Utsumi and JP 08-234212 to Hioki. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim

limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 31 and 43 have been amended to recite that both side surfaces of a portion of a connecting wiring are in contact with an insulating film, which is supported in the present specification, for example, at page 8, lines 6-13 and Figure 12A.

The Official Action asserts that "Applicant's Prior Art (Fig. 30) discloses ... an insulating film (2) over the substrate ... wherein both side edges of the portion of the connecting wiring [3] are in contact with the insulating film [2]" (pages 2-3, Paper No. 20060929; Figure 30 reproduced below).

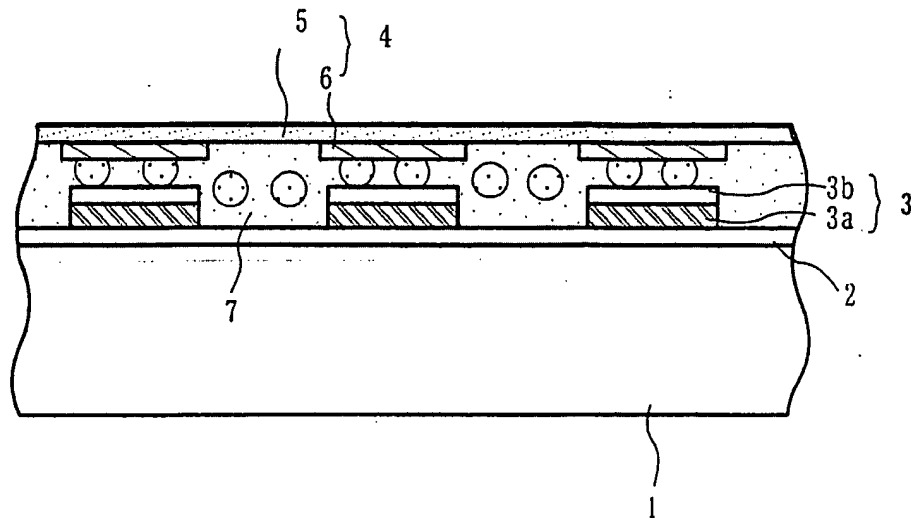


Fig. 30

However, since Figure 30 merely teaches that a bottom surface of the connecting wiring 3 is in contact with the insulating film 2, even if the insulating film 2 shown in Figure 30 corresponds with the insulating film of the present claims, as asserted in the Official Action, Figure 30 does not teach or suggest that both side surfaces of the portion of the connecting wiring 3 are in contact with the insulating film 2.

Ono, Ukita, Utsumi and Hioki do not cure the deficiencies in Figure 30. Ono is relied upon to allegedly teach a thin film transistor with a taper shape (page 3, Paper No. 20060929) and various features of the dependent claims (pages 3-4, Id.), Ukita is relied upon to allegedly teach a metallic film made of tungsten with a tungsten nitride layer formed thereon (page 5, Id.), Utsumi is relied upon to allegedly teach a transparent conductive film comprising zinc oxide and indium oxide (Id.), and Hioki is relied upon to allegedly teach a column-shape spacer (page 7, Id.). However, Figure 30, Ono, Ukita, Utsumi and Hioki, either alone or in combination, do not teach or suggest that both side surfaces of a portion of a connecting wiring are in contact with an insulating film or that both side surfaces of the portion of the connecting wiring 3 of Figure 30 should be modified so that they are in contact with the insulating film 2 or vice-versa.

Since Figure 30, Ono, Ukita, Utsumi and Hioki do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Robert L. Pilaud", is written over a horizontal line.

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